

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DELAWN M. PRINCE,

Petitioner,

v.

ORDER

Civil File No. 21-643 (MJD/BRT)

WARDEN J. FIKES,

Respondent.

Delawn M. Prince, pro se.

Adam J. Hoskins, Assistant United States Attorney, Counsel for Respondent.

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Becky R. Thorson dated June 16, 2021. Petitioner Delawn M. Prince filed objections to the Report and Recommendation.

Pursuant to statute, the Court has conducted a de novo review upon the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court adopts the Report and Recommendation of United States Magistrate Judge Thorson dated June 16, 2021, with the exception of footnote 3, which the Court

declines to adopt because, with Petitioner's objections, he provides evidence that he has now exhausted administrative remedies.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED:**

1. The Court **ADOPTS** the Report and Recommendation of United States Magistrate Judge Becky R. Thorson dated June 16, 2021 [Docket No. 13], with the exception that the Court declines to adopt footnote 3.
2. Petitioner Delawn M. Prince's Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241 [Docket No. 1] is **DENIED**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 13, 2021

s/Michael J. Davis

Michael J. Davis

United States District Court